

Amendment No. 1 to HB0092

Brooks H  
Signature of Sponsor

**AMEND Senate Bill No. 23**

**House Bill No. 92\***

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-2109(b), is amended by deleting the present language in its entirety and by substituting instead the following language:

(b) The board shall permit the use of conventional school buses for a period of twelve (12) years of service and permit the use of Class D school buses for a period of fifteen (15) years of service. The commissioner of safety, through the inspection process, may approve an additional five (5) years of service for a conventional bus and an additional two (2) years of service for a Class D bus on a year-to-year basis. The owner of the bus may receive approval for additional years of service upon the following conditions:

(1) Any conventional bus with over twelve (12) years of use, but not more than seventeen (17) years of use, shall be inspected by the commissioner of the commissioner's designee at least twice annually;

(2) Any Class D bus with over fifteen (15) years of use, but not more than seventeen (17) years of use, shall be inspected by the commissioner or the commissioner's designee at least twice annually;

(3) At such inspections, the inspector shall have the authority to require repairs or reconditioning to be made which the inspector considers necessary for the continued safe use and operation of the bus. If the local authority or owner refuses to take the required action or if the inspector considers continued use of the bus to be unsafe, the inspector shall order its removal from service;

(4) In addition to any other repairs, replacements or reconditioning required by the inspector, the steering, braking and exhaust systems of all conventional school buses with over twelve (12) years of service shall be thoroughly reconditioned or replaced, as necessary, prior to any continued use;

(5) If a school bus for which a seventeenth year of service has been granted reaches the end of such additional year of service within one hundred eighty (180) calendar days from the end of a school year, then such bus may continue in service to the end of such school year, or for a period of time not to exceed one hundred eighty (180) calendar days, whichever is shorter. Such school bus shall meet all requirements for continued safe use and operation, including an additional inspection by the commissioner or the commissioner's designee prior to any such continuance in service, as provided in this subdivision (b)(5);

(6) Any bus with over fifteen (15) years of service shall not be eligible for additional years of service unless such bus was in service by the LEA as of January 1 of the previous school year;

(7) With respect to any conventional or Class D school bus for which the owner receives approval for additional years of service under this subsection, there shall be a log of all maintenance actions and safety inspections performed during the additional years of service. Such log shall be available at all times to the commissioner or the commissioner's designee; and

(8) Any conventional or Class D school bus being operated in a sixteenth or seventeenth year of use pursuant to this subsection shall have less than two hundred thousand (200,000) miles of recorded travel; provided, however, that such bus shall not be removed from service because of miles traveled until the end of a school year if two hundred thousand (200,000) miles of recorded travel is reached during the school year.

SECTION 2. Boards of education are encouraged to make full use of federal funds, while available, for retrofitting diesel school buses to improve both cabin air quality and lower emissions.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.